

8/9/10
(Special Meeting)

L-203-10 vaz

ORDINANCE NO. 203-10

BY: **MARY GALINAS**
(By Request – City Engineer)

AN ORDINANCE TO REPEAL CHAPTER 1526 “FLOOD DAMAGE PREVENTION” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA AND TO ENACT A NEW CHAPTER 1526 “FLOOD DAMAGE REDUCTION” IN ORDER TO BE IN COMPLIANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR), AND DECLARING AN EMERGENCY

WHEREAS, Article XVIII, Section 3, of the Ohio Constitution grants municipalities the legal authority to adopt land use and control measures for promoting the health, safety, and general welfare of its citizens; and,

WHEREAS, the City of Parma has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. Additionally, structures that are inadequately elevated, flood proofed, or otherwise protected from flood damage also contribute to the flood loss. In order to minimize the threat of such damages and to achieve the purposes hereinafter set forth, these regulations are adopted;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That Chapter 1526 “Flood Damage Prevention” of the Codified Ordinances of the City of Parma, as it existed heretofore, is hereby repealed in its entirety.

Section 2. That a new Chapter 1526 “Flood Damage Reduction” of the Codified Ordinances of the City of Parma is hereby enacted to read in substantially similar form as the attached Exhibit “A”.

Section 3. That the Clerk of Council is hereby directed to advertise twice after adoption of this Ordinance in newspaper publications (2 successive weeks) and post the adopted Ordinance in five (5) public locations for at least fifteen (15) days after adoption.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Pg. 2 of L-203-10 Ord. to repeal Chapter 1526 "Flood Damage Prevention" of the Codified Ordinances of the City of Parma and to enact a new Chapter 1526 "Flood Damage Reduction" in order to be in compliance with the Federal Emergency Management Agency and the Ohio Department of Natural Resources (ODNR), and declaring an emergency

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary in order for the City to submit the new adopted ordinance to the Ohio Department of Natural Resources for approval before December 1, 2010, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO